UNITED
NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/45/206
S/21237
6 April 1990
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Forty-fifth session
Item 35 of the preliminary list*
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 6 April 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you, enclosed herewith, the text of an explanatory note concerning Israel's intentions with respect to the water resources of southern Lebanon.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under item 35 of the preliminary list, and of the Security Council.

(Signed) Chawki CHOUERI
Ambassador
Chargé d'affaires a.i.

* A/45/50.

Annex

Explanatory note concerning Israel's intentions with respect to the water resources of southern Lebanon

The water resources of southern Lebanon have always been the object of increasingly ill-concealed envy on the part of Israel. This is apparent from the many statements Israel has made and the many projects it has launched, invoking historical claims and economic and religious arguments. It is common knowledge that Israel currently consumes around 90 per cent of the water resources available to it (or 165 million cubic metres). It is moreover in this sense that the statement has to be understood which Ben Gurion made in 1955, to the effect that the Jews were waging a "war of water" against the Arabs: guaranteeing its water supplies is one of the corner-stones of Israel's national security.

Since the water resources available to Israel are limited, it has to restrict its ambitions with regard to Jewish immigration into the country, and this is why Israel is seeking to take possession of water resources located outside the occupied territory by launching plans and projects aimed at enabling it to help itself to Arab water resources. Thus Israel has, ever since it came into being, been seeking, now clandestinely and now openly, to implement these highly suspect projects, notwithstanding certain international political positions which compel it at times to deny the slightest expansionist intention.

The state of the water resources of southern Lebanon may be summarized as follows:

1. The source of the Wazzani:

In 1986, Israel enclosed several hectares of land adjacent to the source, after driving off its Lebanese cultivators. It dug canals leading northward from the source of the Wazzani, allegedly to irrigate the villages of Arkoub located in the "security zone". In 1989, Israel installed six-inch channels leading from the watercourse fed by Aljawz, which is one of the tributaries of the Hassabani, allegedly to supply water to the villages located in the occupied zone of Hassabiye.

2. The Hassabani and the Wazzani:

These two rivers discharge into Lake Houle, which Israel had drained to transform it into cultivated land fed by irrigation canals. Currently, Israel is exploiting all of the waters of the Wazzani and the Hassabani, or 140 million cubic metres a year.

In this respect, it should be recalled that the Arab summit held at Cairo in 1961 had established an agency for exploitation of the Jordan and its tributaries, including the Hassabani and the Wazzani, with a view to exploiting these tributaries and building dams in the Arab territories in the interests of the Arab economy. This project remained on hold until the disaster in 1967. Israel then occupied the project site and took possession of the equipment located there.

3. The Litani:

Israel's designs on this river are of long standing, as is shown by the counter-project known as the "Coton project" submitted to Johnston in 1954, by which it sought to divert 400 million cubic metres, or 55 per cent of the waters of the Litani, leaving to the rightful owner - Lebanon - only 45 per cent.

Israel's occupation of the "security zone", in violation of the resolutions of the international community calling upon it to withdraw from the zone immediately, confirms that Israel has still not renounced its old ambitions. In occupying this region, Israel is also helping itself to 30 kilometres of the Litani, which flows at an average altitude of between 617 and 540 metres. That said, no pumping station and no water diversion installation have been reported along the occupied part of this river. However, the settlement projects adopted by Israel, particularly following the wave of immigration from the Soviet Union and the need to develop the irrigation and drinking water supply system to which it gives rise, constitute a source of concern, in that there is a risk of Israel being encouraged to move on to action and thus threaten our water resources.

4. Connection of the water supply system of neighbouring Lebanese villages with the Israeli system

In 1983, Israel completed the connection of the water supply system for the neighbouring Lebanese villages to that of Galilee in occupied Palestine. In this connection, it should be recalled that the Lebanese network is itself fed by the waters of the Litani.

The Permanent Mission of Lebanon wishes to affirm the following:

1. Israel's ambitions are not confined to the water resources, but extend to the lands of Lebanon.

2. The Litani is in Israel's eyes not only a source of water supply but also a redoubtable obstacle which is difficult to cross and could thus serve as a natural line of defence alongside all the other security zones that it has seized: to the west, the sea; to the east, the Jordan and the Golan; to the south, the Sinai, that ocean of sand; and to the north the Litani and its deep gorges.

3. Lebanon needs all its water resources, both to irrigate its lands and to supply its towns and villages with drinking water. The Israeli allegations that Lebanon does not need the water of the Litani, which go to waste in the sea, are false. The reality is that Israel's covetousness constitutes an obstacle to the installation of water management works in Lebanon, particularly on tne Litani, which at one point runs only 7 kilometres from the frontiers of occupied Palestine.

Thus, as far back as 1954, the Lebanese Government had drawn up a project for integrated management of the Litani providing for irrigation works and for the installation of various industrial facilities. For this purpose, it had constructed a dam with a capacity of 500 million cubic metres and built a hydroelectric power station beside it. As for the irrigation works, their execution has marked time because of the situation prevailing in Lebanon.

UNITED
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General Assembly Security Council

Distr.
GENERAL

A/45/207
S/21238
9 April 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Items 12, 92, 102, 103, 112, 113 and
142 of the preliminary list*
REPORT OF THE ECONOMIC AND SOCIAL COUNCIL
EFFECTIVE IMPLEMENTATION OF UNITED NATIONS
INSTRUMENTS ON HUMAN RIGHTS AND
EFFECTIVE FUNCTIONING OF BODIES
ESTABLISHED PURSUANT TO SUCH INSTRUMENTS
QUESTION OF AGING
CRIME PREVENTION AND CRIMINAL JUSTICE
TORTURE AND OTHER CRUEL, INHUMAN OR
DEGRADING TREATMENT OR PUNISHMENT
ENHANCING THE EFFECTIVENESS OF
THE PRINCIPLE OF PERIODIC AND
GENUINE ELECTIONS
DEVELOPMENT AND STRENGTHENING OF GOOD-
NEIGHBOURLINESS BETWEEN STATES

SECURITY COUNCIL
Forty-fifth year

Letter dated 9 April 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General

I have been instructed by my Government to draw your attention to the attached extract from Country Reports on Human Rights Practices For 1989, published by the Department of State of the United States of America, which contains information on the situation concerning human rights in the Syrian Arab Republic. I have underlined passages of special relevance (see annex).

In view of the importance of this information, I have the honour to request that the text of the present letter and its annex be issued as an official document of the General Assembly, under items 12, 92, 102, 103, 112, 113 and 142 of the preliminary list, and of the Security Council.

(Signed) Johanan BEIN
Ambassador
Acting Permanent Representative

* A/45/50.

ANNEX*

101st Congress
2d Session

JOINT COMMITTEE PRINT

COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES FOR 1989

REPORT

SUBMITTED TO THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

AND THE

COMMITTEE ON FOREIGN RELATIONS
U.S. SENATE

BY THE

DEPARTMENT OF STATE

IN ACCORDANCE WITH SECTIONS 116(d) AND 502B(b) OF THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

FEBRUARY 1990

Printed for the use of the Committees on Foreign Affairs and Foreign Relations of the House of Representatives and the Senate respectively

U.S. GOVERNMENT PRINTING OFFICE
24-900 WASHINGTON : 1990

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, DC 20402

* Underlining has been added by the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations.

SYRIA

Syria is ruled by an authoritarian regime which does not hesitate to use force when it is threatened. The President wields almost absolute authority. Key decisions regarding foreign policy, national security, and the economy are made by the President and his key advisers, and are often ratified by the Parliament. There are regular elections to the Parliament, but it wields no independent authority. All three branches of government are highly influenced by the views of the Ba'ath Party, whose primacy in the State is assured by the Constitution. Independent, nonsanctioned political opposition is forcibly repressed. However, a certain amount of regional autonomy is exercised by local administrative councils.

The ruling Ba'ath Party, which emphasizes socialism and secular Arabism, gained ascendancy in 1963. It has become dominated by the military, which consumes a large share of Syria's scarce economic resources. In recent years, the party has served principally to legitimize President Asad's rule. Although Ba'ath Party doctrine seeks to overcome sectarian and class consciousness by building a sense of national rather than ethnic identity, ethnic, religious, and regional allegiances remain important. Members of President Asad's own sect, the Alawis, hold most of the important military and security positions.

Except for a hiatus in 1973-74, Syria has been under emergency powers since 1963. The Government has justified martial law by the state of war with Israel and continuing threats posed by terrorist groups (Islamic fundamentalist, Iraqi, and Lebanese). The Muslim Brotherhood was until 1982 the greatest internal threat to the regime. This group of Sunni Muslim fundamentalists openly challenged the secular Ba'athist Alawi-dominated regime from the late 1970's until its brutal suppression in 1982. The League for Communist Action is another clandestine opposition group. Public manifestation of antiregime activity, however, remains very limited, and there were no reports of large-scale arrests in 1989.

The central Government maintains an extensive security apparatus. The several main branches of the security services operate independently of each other and outside the normal legal system; each is suspected of human rights violations. The regime justifies the activities of the security services because of the continuing state of emergency declared on the basis of the state of war with Israel.

Syria has a state socialist economy and has nationalized most major enterprises. The regime has followed economic policies designed to correct previous regional and class disparities. There is a small but vigorous private sector which is expanding, and most agricultural land is privately owned. The economy is plagued by stagnation, and real growth essentially has been flat, with 1988 gross domestic product roughly equivalent to that in 1982.

There was little change in the overall human rights situation in 1989. However, Syria did respond for the first time to a United Nations inquiry about its human rights practices, and the Syrian press reported that a visiting Amnesty International (AI) delegation met with Vice President Khaddam in June. The Government also responded positively to specific requests from the U.S. Government about the status of Syrian Jews. However, Syria remains effectively under the rule of an authoritarian regime, and there were no signs of progress

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towards a freer political system or a greater respect for individual human rights. Human rights abuses, including torture, denial of the freedoms of speech, press, association, and the right of citizens to change their government continued to characterize the regime's record in 1989.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom from:

a. Political and Other Extrajudicial Killing

Executions for political beliefs in Syria are typically a reaction to perceived subversion or direct and violent threats to the regime. There were no reports of executions for political beliefs in 1989, but at least two deaths due to mistreatment while in custody were reported by AI in 1988.

b. Disappearance

There have been credible reports in the past that some Syrians arrested for security reasons have disappeared. There were, however, no such reports in 1989.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Although the penal code prohibits torture and establishes severe penalties for it, there continue to be numerous reports of torture, primarily during arrest and interrogation in political or security-related cases.

In its 1989 Report, covering the year 1988, Amnesty International (AI) noted that the torture and ill-treatment of prisoners, including minors, continued to be widely reported and appeared to be routine. It cited cases in which prisoners were reportedly beaten--resulting in some cases in serious injury--and, in one case, subjected to electric shock. The report noted that 3 of the 10 members of the Jewish community arrested since 1987 on charges of illegal travel reportedly were tortured while in detention. Security forces often will arrest family members of a fugitive and detain or torture them until the fugitive surrenders to authorities. There was at least one report in 1989 of the arraignment of officials who engaged in such practices in 1989, but no evidence of a concerted government attempt to end such practices.

No international groups are allowed access to security detention facilities. Families are usually not allowed to visit security prisons.

d. Arbitrary Arrest, Detention, or Exile

While the civil law code, modeled after French law, generally provides for due process, it is almost totally lacking in provisions covering security or political offenses. Under the state of emergency law, normal safeguards can be suspended, especially in security and political cases, and a person may be held indefinitely without charge or trial; arrested secretly, with no legal restraints; and denied the right to a judicial determination of the basis for pretrial detention. The accused has no redress for false arrest and cannot be contacted by family or friends, who most often do not know where the accused is being held. Many "disappeared" persons

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are believed to be alive and held by the security forces. Frequently, the detained individual is released without ever being charged. There are no reliable estimates of the number of persons detained without trial. Exile, sometimes voluntary, is occasionally used to rid the regime of troubling elements.

With regard to forced or compulsory labor, see Section 6.c.

e. Denial of Fair Public Trial

The Syrian court system, based upon French law, is comprised of separate civil courts (rents, contracts, etc); penal or criminal courts, whose jurisdiction includes economic crimes; religious courts; military courts; security courts; and constitutional courts.

Civil and penal cases are under the jurisdiction of the Minister of Justice. The defendant in a criminal case is detained provisionally upon the accusation of the public prosecutor, then remanded to a judge for arraignment. The judge may either free the defendant on the basis of insufficient evidence or refer the case to a criminal court. Defendants are entitled to legal representation of their choice; if they cannot afford a lawyer, one will be appointed by the court. Civil and penal courts impose no restrictions on lawyers in representing their clients, and allow the right of appeal. They also provide for a bond guarantee of a usually moderate sum. In noncontroversial criminal cases, civil courts are usually free of governmental coercion, although the Government can bring pressure to bear if it wishes to do so. The slow and cumbersome legal system can leave suspects languishing in prison for months.

Defendants in criminal cases are presumed innocent until proven guilty. Defendants are allowed to present evidence and confront their accusers. Trials are public except for cases involving juveniles and crimes which may impact negatively on moral sensitivity, such as rape. Cases are tried before a judge; there is no jury system.

There were fewer reports of arrests for "economic" crimes in 1989. Rather, a number of those arrested earlier for currency violations were released from jail, and economic liberalization measures have made it easier for private businessmen to operate without resort to illegal currency markets, although it is still technically illegal for a private Syrian to hold foreign exchange, unless generated by private exports.

Persons charged with security or political offenses fall under the jurisdiction of the State Security Court. Such persons have no say in the selection of a lawyer, who is chosen by the court. All court sessions are closed, and there are no official channels for obtaining information on the trial or sentencing, although relatives with influence in the Government ultimately may succeed in obtaining information and even effecting the release of the accused.

There is also a Higher Court, under the authority of the Prime Minister, which reviews issues related to the legality of government contracts and other government-private sector issues.

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The Government does not release information on the number of persons detained for political or security offenses, but with detentions dating back to 1970, the number is probably significant. Between February and May 1988, unconfirmed reports indicate that up to 1,200 citizens associated with the Muslim Brotherhood or the League of Communist Action may have been arrested. There were no reports of politically motivated arrests in 1989.

f. Arbitrary Interference with Privacy, Family, Home or Correspondence

Domestic intelligence organizations maintain a network of guards to protect officials and important buildings, as well as to monitor the activity of people living in those neighborhoods. Some telephone conversations are almost certainly recorded. The presence of police and security officials is pervasive, especially in Damascus.

The postal system censors the mail, including foreign publications, selectively. Although the legal system provides safeguards, including the requirement of an arrest or search warrant before police are allowed to enter private homes, regulations under the state of emergency suspend these protections in security-related cases.

Security checkpoints can be set up anywhere, and no warrant for search or arrest is required. Security forces are mostly concerned with suspected subversives, but also search for smuggled goods. There were few reports of checkpoints having been set up during 1989, except at the border with Lebanon.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Public criticism of the President is not permitted, and criticism of the Government and the Ba'ath Party is effectively discouraged. The Government or the Ba'ath Party wholly own and operate all broadcast media and publishing houses and strictly control the dissemination of all information.

Censorship of foreign and domestic news is exercised through offices in the Ministries of Information and of Culture and National Guidance. Any subject deemed sensitive to Syrian government interests will not appear in the press or in daily broadcasts. In 1989 this censorship included certain decisions of the Palestine Liberation Organization (PLO) and civil unrest in the Soviet Union, Eastern Europe, and China prior to the release of such reports by the Soviet press agency TASS. However, radio and television broadcasts from neighboring countries, including Israel, are not jammed, and reports not carried in Syrian media are generally well known.

Newspapers provide no medium for political opposition. Criticism of government policies or their operations is limited to economic issues, minor administrative failings, and domestic corruption, and even this criticism is usually orchestrated from above. However, there is almost daily criticism of problems in the economy. Officials above the middle rank are rarely criticized.

Imported printed material and films are subject to censorship. Articles critical of Syria or Syria's role in

Lebanon are occasionally completely deleted from foreign magazines and newspapers before distribution. Fictional and nonfictional literature is censored by the Union of Arab Writers if it is considered overly critical of Syria, offensive to one of Syria's religious groups, or too graphically discusses sex. Films are often censored for a variety of reasons, such as unfavorable interpretation of the Middle East conflict, sectarianism, or the use of actors or production companies targeted by the Arab boycott. Control is much stricter on materials in Arabic.

Schools at all levels are government operated. Private primary and secondary schools run by minority religious groups are required to follow the Ministry of Education curriculum and are subject to regular inspection. One hour of the school day is devoted to instruction on Syrian patriotism. Teachers are not permitted to express ideas contrary to government policy, although more freedom of expression is tolerated at the university level.

b. Freedom of Peaceful Assembly and Association

Public meetings, assemblies, or demonstrations may be held only with official permission, and usually at the instigation of the Government or the Ba'ath Party. Private societies, including religious groups, are allowed to meet if they have received governmental permission to organize. While usually granted, such permission authorizes only nonpolitical activities.

For a discussion of freedom of association as it applies to labor unions, see Section 6.a.

c. Freedom of Religion

Although nearly two-thirds of the Syrians are Sunni Muslim, the Constitution does not establish a state religion. As a concession to Islamic fundamentalists, who object to Ba'athi secularism, the 1973 Constitution requires that the President be Muslim. Otherwise, there is no official preference given to one religion over another, and all major Christian and Muslim holidays are officially observed by the Government. Many key positions in the Government are controlled by members of the minority Alawi sect (at least 10-12 percent of the population), which is considered heretical by many Sunni Muslims.

Ba'athi secular ideology and modernizing influences have had some impact in diminishing the primacy of religion and ethnicity, but individual Syrians continue to identify themselves by their communal associations.

With few exceptions (noted below), all religious groups, Muslim and non-Muslim, including Syria's 3,800 Jews, have the freedom to practice their different religions. However, fund-raising, construction, and the holding of all meetings except for worship are tightly restricted and sometimes banned. Religious training is permitted within the curriculum for Jews and Christians in Jewish and Armenian schools, among others. Non-Muslim groups may maintain links with Muslim and coreligionists outside Syria.

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One exception to the official policy of religious tolerance is the treatment of Jehovah's Witnesses and Seventh-Day Adventists, who are forbidden to practice their religion or own church property.

Foreign missionaries are permitted to preach and practice. The publication of religious materials is subject to the same strict controls as secular material.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Internal travel is restricted only in the security zone of the Golan Heights and near the borders with Lebanon, Jordan, and Iraq. All citizens wishing to travel abroad must acquire passports and exit visas. In theory, Syrians can travel to other Arab countries, except Iraq, on their identification cards alone, although in practice this applies only to Lebanon. Syrian women over the age of 18 are free to travel without the permission of a male relative. However, a husband may file a request with the Ministry of Interior to prevent his wife's departure from Syria.

In general, the Government prohibits foreign travel for persons liable for military service and for certain categories of professionals, such as pharmacists, architects, and engineers, trained at public expense, who have not fulfilled 5 years of government service. Under exceptional circumstances, however, persons in these groups may obtain passports valid for 3 months and limited for travel to specific countries. Students traveling abroad for higher education must obtain permission from the Foreign Ministry and, like all Syrians, are subject to recall by the Government. Persons caught trying to travel illegally are subject to fines and detention.

Palestinians living in Syria must also obtain an exit visa from Syrian authorities. Young Palestinians sometimes experience difficulties obtaining the requisite travel document.

Jews, particularly those with significant holdings and financial ties in Syria, have found it somewhat easier to travel abroad since the mid-1970's. With some exceptions, the Government continues its policy of not issuing passports and exit visas to all members of a Jewish family at the same time. In theory, any Syrian can be required to post a bond of between $300 and $1,000 which would be forfeited in the event of nonreturn. In reality, only Jews are routinely required to post such bonds. While Jewish emigration in general is frowned upon, the Syrian Government has stated that it looks positively at cases of family reunification and of unmarried Jewish women unable to find suitable husbands in the small Syrian Jewish community. The number of unmarried Jewish women allowed to emigrate jumped dramatically in the middle of 1989 following U.S.-Syrian discussions on this issue. Any Syrian citizen caught trying to emigrate or travel abroad without permission, or suspected of having visited Israel illegally, may be arrested and be subject to criminal prosecution. In late 1987 and 1988, 10 Jews were arrested on travel violations and sentenced to incarceration of up to 2 years. Three of these persons reportedly were tortured. Three remain in jail. There were no new arrests in 1989.

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Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Syrians do not have the ability to change their government legally and peacefully. President Asad and his senior advisers maintain effective control over foreign policy, national security decisions, and key economic and social decisions. Although popular participation in presidential elections, held every 7 years, is provided for in the Constitution, Syrians have little say in the determination of their political leadership. Presidential decrees, issued when the Parliament is not in session, have the force of law and usually involve key domestic issues such as the raising of public sector wages and the prices of critical commodities. President Asad won the presidency for the third time in 1985 when, according to official sources, 99 percent of the population voted and 99 percent of those who cast ballots voted for Asad, who ran unopposed. A certain degree of regional autonomy is permitted as long as it does not challenge the central Government's authority. Major city centers, for example, exercise local administrative control. Certain ethnic and social groups, such as the Bedouin and people living in small villages, have little contact with the central Government.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government denies charges of human rights violations, often ignoring them or calling them an intrusion into its internal affairs. However, the Government responded to a 1988 U.N. Human Rights Commission (UNHRC) investigation of Syrian practices, based on a complaint by AI. The UNHRC eventually dismissed the case. AI officials visited Syria in June 1989 to attend an Arab lawyers' convention during which they met privately with Vice President Khaddam. The International Committee of the Red Cross has had only limited access to prisoners. No Syrian is willing publicly to criticize the Government for human rights actions.

In its Report covering 1988, AI noted that it had continued throughout the year to express concern to the Government about reports of arbitrary arrests, detention without trial of political suspects, torture and ill-treatment of detainees, and the imposition of the death penalty, but that the Government did not respond. It noted that the Goverment did react to an oral statement that AI made in February 1988, drawing the attention of the UNHRC to reports of the widespread and routine use of torture by the security forces and of deaths in custody of political detainees; the Government responded by expressing "regret" at the "exaggerated statement" and the "biased position" taken by AI. AI also noted that in April 1988 it had submitted information about its concerns to the U.N. and had sent a copy of its communications to the Syrian Government with an invitation to comment, but that no response had been received

The Government frequently criticizes other countries, including Israel, Iraq, and South Africa, on human rights grounds in the U.N. and in other international bodies.

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Section 5 Discrimination Based on Race, Sex, Religion, Language, or Social Status

Membership in the Ba'ath Party, or being a close relative of a prominent Ba'ath Party member, is important to prospering in Syria. Party connections can pave the way for entrance into better elementary and secondary schools, access to more lucrative employment, and greater power in the Government. Religion is also a factor. Members of the Alawi sect often enjoy job preference. Jews are prohibited from joining the military.

The official state of war with Israel continues to influence the status of Syrian Jews, although the community's situation has improved in recent years. Today, the Jewish community enjoys a relatively high standard of living, access to higher education, and entrance into the professions. Jews are subject to some foreign travel restrictions (See Section 4.d.), however, and are the only minority whose passports and identity cards note their religion. Jews, like other citizens of Syria, are subject to the close purview of the intelligence services. As with all other Syrians, contact between Syrian Jews and Israelis is prohibited. Jews do not hold government jobs except for a few low-level positions as clerks and teachers.

Syria's Palestinian community numbers approximately 250,000 registered with the United Nations Relief Works Agency and consists predominantly of refugees from the 1948 and 1967 Arab-Israeli wars. Several thousand Lebanese and Palestinians also fled to Syria in 1982 following the Israeli invasion of Lebanon. Palestinians are officially considered to be temporary residents pending the resolution of the Arab-Israeli conflict.

Under Syrian law, resident Palestinians enjoy equal access to employment, social services, and education. In addition, Palestinian organizations sanctioned by the Government operate social institutions within their community. Palestinians may choose their place of residence and occupation, and the majority participate fully in the local economy. With government permission, they may own more than one building or plot of land.

The Government allows the operation of those Palestinian political groups that espouse the officially sanctioned position against Yasir Arafat's policies, although their activities are carefully circumscribed. Palestinians may not vote in Syrian elections or acquire Syrian citizenship except through marriage to a Syrian male citizen. Although they currently occupy several senior positions in the bureaucracy, Palestinians are unofficially barred from the highest echelons of the Government.

The Constitution guarantees the equal rights of women and calls for the elimination of all obstacles to women's development. Historically, Syrian women have benefited from government policies, including equal pay for work of equal value.

Syrian women are active in both the public and private sector. According to official statistics, 43 percent of all women are literate, compared to a national average of 49 percent. The Government encourages women's enrollment at all levels of education, and large numbers of women attend

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universities. Government laws provide up to 3 1/2 months' paid maternity leave and ensure that a woman may return to her previous job. Moreover, all establishments of over 100 employees must provide child-care facilities. The National Women's Union, founded in 1967, pursues many of the issues facing women and seeks to protect rights already won as well as to strengthen the position of women. It is currently considering a legislative proposal which would extend a mother's custody of children to the age of 15 or 16 in divorce cases (instead of the current age of 9 for boys and 11 for girls) and is actively seeking to eradicate illiteracy among adult women.

Privately, traditional concepts of male guardianship of women continue to run against official policies. Particularly among Muslims, these concepts often limit a woman's rights in matters of marriage, divorce, child custody, inheritance, and personal decisions.

Wife beating and other physical abuse of women is known to occur, but conservative social mores in Syrian society discourage public discussion of the issue, and it is therefore difficult to estimate the extent of the problem. The Government is not known to produce official statistics on domestic abuse. Under the Syrian legal system women have access through the courts to redress any grievance caused by violent acts against them, but many cases of domestic abuse are not pursued because of the social stigma that is attached to legal proceedings in such cases.

Section 6 Worker Rights

a. The Right of Association

The Government uses the Syrian General Federation of Trade Unions (GFTU) as its framework for controlling nearly all aspects of union activity. Workers are not free to form labor unions independent of the government-prescribed structure. While unions are used to transmit instructions and information to the labor force from the Syrian leadership, there are indications that elected union leaders, as members of the Ba'ath Party, also act as a conduit through which workers' dissatisfaction is transmitted to the leadership. By law at least 51 percent of the elected members of Parliament must be workers or peasants. While strikes are not prohibited under Syrian law (except in the agricultural sector), in practice they are effectively discouraged. There were no reports of strikes in 1989.

The GFTU is affiliated with the International Confederation of Arab Trade Unions and the Communist-controlled World Federation of Trade Unions.

The 1973 Constitution affirmed the right to form trade unions. Syrian labor unions are organized sectorally and at local, provincial, and national levels. Under Syrian labor law, any group of 50 or more workers in a particular profession or sector may form a guild committee. These local committees may join to form a provincial union. The provincial unions may join with others in the same profession to form a national syndicate or union. Officials at all levels are elected through secret ballot, and the provincial unions reportedly are financially independent of the national syndicate.

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However, the Committee of Experts (COE) of the International Labor Organization (ILO) has observed that only one trade union can be set up for the same occupation within the same province, and that the unions in a province can only group themselves into one provincial federation of workers, and all can group themselves into the GFTU. The COE has also noted that the GFTU has the exclusive power to determine which unions may be constituted and the right to dissolve the management committee of any trade union. Also, trade unions have a legal obligation to allocate a certain percentage of their income to the higher trade union bodies, and the Government enjoys wide powers of intervention in trade union finances.

According to the Government, there are 198 national unions in Syria which are part of the GFTU structure, and 9 professional unions. The Government maintains that while it is not illegal to set up competitive unions, the unions which belong to the GFTU chose voluntarily to do so because it most effectively advances workers' interests. GFTU officials also note that Syrian unions first developed during the 1920's and the GFTU was formed in the 1930's, long before the advent of the Arab Socialist Ba'ath Party or the Asad Government, so that Syrian legislation recognizing a single trade union system merely codifies existing practice which reflects the will of Syrian workers. The GFTU is charged with providing opinions on legislation, devising rules for workers and labor, and organizing labor. The elected President of the GFTU is a senior member of the ruling Ba'ath Party and a member of the Regional Command and, along with his deputy, participates in all Cabinet sessions. The secretaries general of the nine nonaffiliated associations, some of whom are not Ba'ath Party members, are also elected officials.

The COE in its 1987 and 1988 reports concluded that the GFTU structure amounted to a legally mandated system of trade union unity. Other observations of the COE had to do with restrictions on the right of foreign workers to join or form trade unions of their own choosing; the interference of public authorities in trade union administration; and the prohibition of strikes in the agricultural sector. In its 1989 report, the COE once again raised these issues, noting that the Syrian Government had established a working group including worker and employer representatives to examine the COE's comments.

b. The Right to Organize and Bargain Collectively

In the public sector unions do not normally bargain collectively on wage issues, but there is some evidence that union representatives participate with the representatives of the respective employer and ministry in establishing sectoral minimum wages. The Government has cited 10 specific examples of such sectoral collective bargaining agreements. In a country whose major industries are publicly held, workers make up the majority of each board of directors and always include union representation on those boards. They also monitor and enforce compliance with the labor law. In the private sector, unions are active in monitoring compliance with the laws and ensuring workers' health and safety. The unions, under the law, can undertake negotiations for collective contracts with employers, but there is no information available on whether such contracts envision that unions can also sue and be represented in court.

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c. Prohibition of Forced or Compulsory Labor

There is no law in Syria banning forced or compulsory labor. There are a few instances in which such punishment can be imposed as punishment, usually in connection with prison sentences for criminal offenses. Article 35 of the Constitution states that it is the right and duty of every citizen to work and it is a criminal offense for a government employee to resign his position without the permission of the relevant Minister.

d. Minimum Age for Employment of Children

The minimum employment age in the predominant public sector is 14, though it is higher in certain industries. The minimum age varies more widely in the private sector; the absolute minimum age is 12, while parental permission is required for children under age 16 to work. Children are forbidden to work at night. The Ministry of Social Affairs and Labor is responsible for enforcing minimum age requirements, but the number of labor investigators is small, and violation of the law may be extensive.

e. Acceptable Conditions of Work

The Government provides minimum and maximum wage limits in the public sector. Salaries are set on a monthly scale. In 1989 the President issued a decree raising public sector salaries by 25 percent while at the same time allowing the price of gasoline and some other commodities to increase by 50 percent. Two months later, following discussions among labor unions and employers, the Minister of Social Affairs and Labor announced that salaries in the private sector would also be raised by 25 percent. The lowest salary scale for an entry position, with no experience or credentials and involving no physical labor, is approximately $118 per month at the official rate of exchange. The highest public sector starting salary is approximately $235 per month for someone with a Ph.D. degree. Neither of these rates alone is sufficient to provide a decent standard of living. As a result, many workers take additional jobs or rely on extended families for support.

There is no fixed minimum wage in the private sector for permanent employees. However, the monthly minimum would not be less, in practice, than that in the public sector. According to the 1959 labor law, minimum wage levels in the private sector are set by sector and are fixed by the Minister of Social Affairs and Labor. Recommendations are put to him by a committee, formed by a representative of the Ministry of Industry or Economy and Commerce plus a representative of the employers' and of the employees' union.

Syrian labor law extensively regulates conditions of work. This includes rules and regulations which severely limit the ability of an employer to fire an employee without due cause, an issue which the employee may take to a labor committee, composed of a representative of the municipality, a judge, the Ministry of Social Affairs and Labor, the union, and the employer. In the majority of cases, such labor committees have decided in favor of the employee. Workers, once hired, cannot easily be fired. One exception in the heavily regulated labor field relates to day laborers. They are not subject to minimum wage regulations and receive compensation only for job-related injuries. They are commonly employed in

SYRIA

small private firms and businesses in order to avoid the costs of permanent employees who are well protected, even against firing.

The workweek consists of six 6-hour days, although in certain fields in which workers are not continuously busy, a 9-hour day is permitted. Labor laws also mandate a full 24-hour rest day per week. Employees are guaranteed 15 days of paid leave per year during the first 5 years, rising to 30 days per year for persons over age 50 or with 20 years employment. Employers are required to provide limited medical care, and establishments with more than 100 employees must hire a nurse and offer access to a physician when necessary.

Public laws mandate safety standards in all sectors, although actual enforcement depends on managers and may therefore vary. The Ministry of Social Affairs and Labor has a small Office of Health and Safety which seeks to inspect and correct unhealthy and unsafe conditions in the workplace. In addition, a worker may also file suit against his employer, charging that the unhealthy conditions are threatening his job. The Government provides disability insurance for job-related injuries. Guest workers theoretically receive the same benefits, but are often reluctant to press claims because workers' permits may be withdrawn at any time. Moreover, many work illegally and are not covered by the government system.

There is no information currently available regarding Syrian labor practices inside Syrian free-trade zones.

UNITED
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General Assembly Security Council

Distr.
GENERAL

A/45/208
S/21239
9 April 1990
ENGLISH
ORIGINAL: ENGLISH AND FRENCH

GENERAL ASSEMBLY
Forty-fifth session
Item 32 of the preliminary list*
THE SITUATION IN KAMPUCHEA

SECURITY COUNCIL
Forty-fifth year

Letter dated 9 April 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Cambodia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith, for your information, a statement of the Democratic Kampuchea party, dated 4 April 1990, on the efforts to seek a speedy solution to the Cambodian problem (see annex).

I should be very grateful if the statement could be distributed as an official document of the General Assembly, under the item 32 of the preliminary list, and of the Security Council.

(Signed) SISOWATH Sirirath
Ambassador
Chargé d'affaires a.i.

* A/45/50.

ANNEX

STATEMENT OF THE DEMOCRATIC KAMPUCHEA PARTY ON THE EFFORTS TO SEEK A SPEEDY SOLUTION TO THE CAMBODIAN PROBLEM

The Democratic Kampuchea party would like to express once again its deep gratitude to all friendly countries, especially those of ASEAN, the Five Permanent Members of the United Nations Security Council and His Excellency Mr. Javier Perez de Cuellar, Secretary-General of the United Nations, for their contribution in the search for a comprehensive, just and durable political settlement of the Cambodian problem.

The Democratic Kampuchea party and His Royal Highness Samdech NORODOM SIHANOUK, President of Cambodia, as well as the National Government of Cambodia have successively made very important concessions and have on many occasions shown their political will to reach as soon as possible such a settlement.

The Democratic Kampuchea party would like here again to state the following:

1)- It is of the view that the 5-point peace proposal of H.R.H. Samdech NORODOM SIHANOUK is by far an equitable and feasible peace plan that will secure a comprehensive, just and durable political solution to the present war in Cambodia as well as the safeguarding of peace, security and stability in South-East Asia.

2)- It fully supports the principles contained in the 16-point Summary of Conclusions adopted by the Five Permanent Members of the UN Security Council in Paris on 16 January 1990.

3)- It shares the views of His Excellency the Secretary-General of the United Nations that the mandate to be entrusted to the United Nations should be "well-defined, realistic and practicable."

In this spirit, the Democratic Kampuchea party will continue to join its efforts with all concerned countries with a view to seeking a speedy comprehensive political settlement of the Cambodian problem.

It is to be recalled that the 16-point Summary of Conclusions adopted by the Five Permanent Members of the UN Security Council reads as follows:

(1) No acceptable solution can be achieved by force of arms.

(2) An enduring peace can only be achieved through a comprehensive political settlement, including the verified withdrawal of foreign forces, a cease-fire and the cessation of outside military assistance.

(3) The goal should be self-determination for the Cambodian people through free, fair and democratic elections.

(4) All accept an enhanced UN role in the resolution of the Cambodian problem.

(5) There is an urgent need to speed up diplomatic efforts to achieve a settlement.

(6) The complete withdrawal of foreign forces must be verified by the UN.

(7) The Five would welcome an early resumption of a constructive dialogue among the Cambodian factions, which is essential to facilitating the transition process which should not be dominated by any one of them.

(8) An effective UN presence will be required during the transition period in order to assure internal security.

(9) A special representative of the UN Secretary-General is needed in Cambodia to supervise UN activities during a transition period culminating in the inauguration of a democratically elected government.

(10) The scale of the UN operation should be consistent with the successful implementation of a Cambodian settlement and its planning and execution should take account of the heavy financial burden that may be placed on member States.

(11) Free and fair elections must be conducted under direct UN administration.

(12) The elections must be conducted in a neutral political environment in which no party would be advantaged.

(13) The Five Permanent Members commit themselves to honoring the results of free and fair elections.

(14) All Cambodians should enjoy the same rights, freedoms and opportunities to participate in the election process.

(15) A Supreme National Council might be the repository of Cambodian sovereignty during the transition process.

(16) Questions involving Cambodian sovereignty should be resolved with the agreement of the Cambodian parties.

April 4, 1990

KHIEU SAMPHAN
President of the Democratic Kampuchea party

UNITED NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/45/209
S/21240
9 April 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Item 32 of the preliminary list*
THE SITUATION IN KAMPUCHEA

SECURITY COUNCIL
Forty-fifth year

Letter dated 9 April 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Cambodia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith, for your information, a new proposal dated 9 April 1990, by His Royal Highness Prince Norodom Sihanouk, President of Cambodia (see annex).

I should be very grateful if you could have the document distributed as an official document of the General Assembly, under item 32 of the preliminary list, and of the Security Council.

(Signed) SISOWATH Sirirath
Ambassador
Chargé d'affaires a.i.

* A/45/50.

ANNEX

MY NEW PROPOSALS FORMULATED IN ORDER TO RESOLVE THE TRAGIC "PROBLEM OF CAMBODIA", A PROBLEM WHICH HAS REMAINED UNSOLVED DESPITE THE VIGOUROUS EFFORTS UNDERTAKEN BY THE UNITED NATIONS (IN PARTICULAR ITS SECRETARY GENERAL, H.E. JAVIER PEREZ DE CUELLAR), ASEAN, THE FIVE PERMANENT MEMBERS OF THE UN SECURITY COUNCIL AND AUSTRALIA, EFFORTS AIMING TO ENSURE THE RETURN TO CAMBODIA OF PEACE, FREEDOM, INDEPENDENCE AND TERRITORIAL INTEGRITY.

PREAMBLE

The time has come to say things as they are: As long as the Khmers Rouges (Party of Democratic Kampuchea - PDK-; NADK - National Army of Democratic Kampuchea) on the one hand, and Hun Sen's (pro - SRV) regime, on the other, oppose and reject this or that "PLAN", this or that "PROPOSAL" or SOLUTION", the very bloody and destructive war will continue in Cambodia, to the greatest detriment and misfortune of the Cambodian people and the Khmer race.

In this endless war, there will be neither winners nor losers (and that explains why the said war will not end). There will always be, however, an undoubted looser. This looser is that which I have called and continue to call with love " the small citizenry" of Cambodia. The latter constitutes the majority of the population of Cambodia.

It is, thus, important, to behave in accordance with the democratic and of moral responsibility principles and to help without delay and to the utmost of one's ability this people to recover peace and freedom, which are part of its sovereign rights.

In the new proposals of NORODOM Sihanouk that follow, there will be many important points which will be, undoubtedly, rejected by the Khmers Rouges and certain, no less important, points which will be rejected by the pro-SRV group of Hun Sen.

But, since the majority of the population of Cambodia and the immense majority of nations members of the international community (including certain ASEAN governments) demand henceforth that the 4 warring Khmer factions give triple evidence of their respect for the majority of our people, of their unselfishness (their lack of "thirst for power") and of their devotion to the ideal of Peace, my Party (FUNCINPEC), my army (the ANS) and myself, we give this triple evidence to our respected and beloved people and the international community by presenting to the other 3 warring khmer factions the new "PLAN SIHANOUK" for a practical settlement of the Cambodian issue, which follows:

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I. The Five Powers, Permanent Members of the United Nations Security Council and the Secretary General of the United Nations, together and with the agreement of the two (2) existing Cambodian governments: The National Government of Cambodia (NGC), recognized de jure by the United Nations, and the Government of the State of Cambodia (GSOC), installed in Phnom Penh by the Socialist Republic of Vietnam (SRV), proclaim an immediate CEASE FIRE in Cambodia with the (provisional) maintenance in their positions at the date of the proclamation of this Cease-fire of the 4 armies of the Khmer warring factions and, equally, of the Vietnamese army units still inside Cambodia, (Cease-Fire "in place" or Cease-Fire and standstill).

II. But, in order to avoid "placing the cart before the oxen", it is necessary that prior to the Cease-Fire proclamation, the 5 Permanent Members of the UN Security Council send to Cambodia (with the agreement of both the NGC and the GSOC) a strong armed contingent made up from their own respective armies but wearing the "UN Blue Helmets" and placed under the high Command of the (military) Representative of the UN Security General. These "Blue Helmets", whose Supreme Commander will be H.E. Javier de Cuellar, Secretary General of the United Nations , will be charged with implementing the Cease-fire "in place" and preventing this or that Cambodian army from continuing to attack "the enemy" in order to try to take away from it additional territories.

It is important, in this regard, that H.E. Perez de Cuellar persuades the armed Khmer factions that Cambodia belongs to all the Cambodians and that, in the final settlement of the Cambodian issue, the area of territories occupied respectively by the four Khmer factions will not be taken into account and that in the last analysis, the United Nations will compel them to proceed together to a regrouping of the armed units in order to restrict them to barracks instead of leaving them in the territories currently occupied by them.

NOTE: I do not raise here the question of general disarming of the 4 Cambodian armies nor that of the reduction of their effectives.

These two questions profoundly divide the NCR (National Cambodian Resistance) and Mr. Hun Sen's faction supported by the SRV and the USSR.

Consequently, it would be more realistic from my part to propose, in the first instance, a "standstill"; and, afterwards, ask H.E. Perez de Cuellar and the 5 countries Permanent Members of the UN Security Council to proceed to the reconciliation among the warring Khmers and to the re-grouping of their units in barracks, while waiting for the day when it will be possible to form a National Army of Cambodia.

III In addition to the "Blue Helmets", whose effectives should essentially come from the armies of the "Five Perm" (the 5 countries Permanent Members of the UN Security Council), it is important that an International Control Mechanism (ICM) be established

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by the Paris International Conference on Cambodia (PICC) and whose composition will be chosen by the PICC, in agreement with the Secretary General of the United Nations and the Leaders of the 4 Cambodian factions.

The ICM could be placed by the PICC under the Chairmanship of H.E. Javier Perez de Cuellar, represented on the spot and in permanence, in Cambodia, by a senior UN official having the trust of the Secretary General of the UN, of the PICC and of the Leaders of the 4 Cambodian factions.

NOTE: It is important to place the "Blue Helmets" and the ICM under the High Command of the same personality (H.E. Perez de Cuellar), and that in order to avoid any confusion in the minds and differences (always possible) "on the ground" between the "Blue Helmets" Command and that of the ICM.

The mission of the ICM will be:

Primo: to assist the "Blue Helmets" to "neutralize" the armies of the NCR and those of the Viets and Hun Sen, among which there could be certain units which would not hesitate, after the proclamation of the Cease-Fire, to try to violate this Cease-Fire in certain spots, by indulging in acts of revenge or of intimidation against civilians;

Secondo: to ensure the peace for the whole of the Khmer land and the freedom of the Cambodian people;

Tertio: to prepare in close co-operation with the Supreme Council of the Cambodian State the general elections and to monitor these elections during their progress.

IV. The 2 governments (NGC and GSOC) could be maintained, in conformity with the demand of Hun Sen, on condition that all their administrative powers are transferred, pending the general elections, to the United Nations Administering Authority (UNAA), and their powers, as far as foreign policy and diplomacy are concerned, are transferred to the Supreme Council of the Cambodian State.

V. A Supreme Council of the Cambodian State (SCCS) will be established. It will be composed of 6 members from the National Cambodian Resistance's side and 6 members from the Phnom Penh regime's side.

The President of the SCCS will be chosen by consensus of the 12 members of this SCCS.

In the event that, the Council reaches an equal number of "yes" votes and "no" votes, when making decisions, the President has the casting vote.

The Supreme Council of the Cambodian State will symbolize the sovereignty of Cambodia. It will entrust, pending the general

elections, the administration of Cambodia to the United nations Administering Authority (UNAA).

VI. As far as the United Nations Administering Authority is concerned, its Chief will be the Secretary General of the United Nations, who will delegate a High Representative to take charge of operations, in permanence, on the spot, pending the general elections.

The person chosen to be this High Representative should receive the approval of the PICC and the Leaders of the 4 Cambodian factions.

VII. The following non-political and non-legislative public services and technical administrative services of the Phnom Penh regime will be maintained and placed at the disposal of the UNAA: Public Works, Refuse Collection, Cadastral survey, Doctors, Nurses, Primary and Secondary School Teachers, Postal-Telephone and Telegraphic Services, Technical staff at Ports, Airports and Railways.

VIII. The general elections in Cambodia, will be jointly organized by the Supreme Council of the Cambodian State and the United Nations Administering Authority. They will be monitored by the ICM.

But, these general elections will not take place, as long as the following tasks have not been completed:

a) The control and dismantling of the caches of arms of the Vietnamese, the Khmers factions and other armed groups Cambodian or Foreign.

This will be the task of the UNAA, of the "Blue Helmets" and the ICM, assisted by qualified representatives of the SCCS.

b) The verification of the presence of armed Vietnamese elements and illegal immigrants, which should be repatriated under the auspices of the International Committee of the Red Cross and the UN High Commissioner for Refugees.

This will be the task of the UNAA and the ICM, assisted by qualified representatives of the SCCS.

c) The census of the population of Cambodian nationality and that of non-Cambodian nationality in Cambodia, with information on the date of birth of each person of both sexes.

This will be the task of the UNAA, assisted by qualified representatives of the SCCS.

d) Verification of the original line of the land and sea borders

of Cambodia internationally recognized until the 17th march 1970 (the eve of Lon Nol's Putsch), and in conformity with the official maps prevailing in 1969.

This will be the task of the UNAA, the ICM and the SCCS.

NOTE: Taking into consideration the very great importance, the difficulty and the unavoidable length of the above mentioned tasks, the general elections should not take place before 2 or 3 years, as from the date of the proclamation of the Cease-Fire.

Besides, it is well understood that the preceding tasks (a, b, c, d) can only be undertaken (practically) after the Cease-Fire with standstill (the freezing of the positions of the warring forces) on Cambodia's soil.

Furthermore, this freezing of the positions (...) will have as notable advantage, the avoidance of the de facto partition of Cambodia because, as it can be seen currently, none of the warring armies in Cambodia is able to avoid that enemy forces do not come in between this or that zone under its control.

For example, the Khmer Rouge Army (NADK) is able to establish itself a little everywhere in Cambodia, including in those provinces neighbouring Phnom Penh, while Hun Sen's and Vietnam's units occupy zones in between the NADK zones and those of the ANS in the provinces of Battambang, Oddar Meanchey and Kompong Thom.

Thus, there is no demarcation line between the armed forces of the NCR and those of Phnom Penh and Vietnam, except as far as the provinces of Stung Treng, Rattanakiri and Mondulkiri by the Vietnamese, whose repatriation is necessary.

IX. The SCCS should proclaim the neutrality of Cambodia and the PICC should offer its recognition and guarantee to Cambodia as a neutral State.

Freedom Village (ANS zone),
Province of Oddar Meanchey,
Cambodia
On the 9th April 1990

(signed)

NORODOM SIHANOUK

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Security Council

Distr.
GENERAL

S/21241
9 April 1990

ORIGINAL: ENGLISH

LETTER DATED 6 APRIL 1990 FROM THE PRESIDENT OF THE REPUBLIC OF NAMIBIA ADDRESSED TO THE SECRETARY-GENERAL

Following Namibia's accession to independence on 21 March 1990 and in keeping with the constructive consultations we had in Windhoek on a number of urgent matters, including in particular Namibia's membership in the United Nations, I would like, by this letter, to submit an application, in accordance with Article 3 of the Charter of the United Nations.

Convinced of the acceptance of the application, the Republic of Namibia undertakes to make a solemn pledge to accept and carry out the obligations contained in the present Charter.

In this context, the Government of the Republic of Namibia would be most grateful if Your Excellency could ensure that the application is given consideration on a priority basis, so as to enable the Namibian delegation to participate in the work of the special session of the General Assembly devoted to economic development and environment, to be held from 23 to 28 April 1990.

(Signed) Sam NUJOMA
President of the Republic of Namibia

90-09301 1589b (E)

UNITED
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Security Council

Distr.
GENERAL

S/21242
9 April 1990

ORIGINAL: ENGLISH

REPORT OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA ON THE ADMINISTRATION OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS FOR THE PERIOD FROM 1 OCTOBER 1988 TO 30 SEPTEMBER 1989

Note by the Secretary-General

Pursuant to paragraph 3 of Security Council resolution 70 (1949) of 7 March 1949, the Secretary-General has the honour to transmit to the members of the Security Council the report of the United States Government on the administration of the Trust Territory of the Pacific Islands for the period from 1 October 1988 to 30 September 1989. 1/

Notes

1/ A limited number of copies of this report in English were received by the Secretary-General on 27 March 1990. Copies have been circulated to members of the Trusteeship Council under the symbol T/1944.

90-09319 1617j (E)

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General Assembly Security Council

Distr.
GENERAL

A/45/211
S/21243
10 April 1990
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Forty-fifth session
Item 35 of the preliminary list*
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 10 April 1990 from the Chargé d'affaires a.i. of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government and further to our previous letters concerning the acts of aggression committed by Israel against Lebanon, I have the honour to inform you that on 8 April 1990 armoured vehicles and artillery of the Israeli occupation forces shelled the villages of Zawtar El-Gharbiye, Zawtar El-Charqie, Choukine, Mayfdoun, Kakayet El-Jisr, Mouhit Kfartebnit and Mazraat El-Jisr, taking aim at dwellings and shelters in which the inhabitants of these villages had sought refuge. The shelling, which lasted from noon to 4.30 p.m., left one person dead (Habib Cheissi) and eight wounded among the civilian population.

At 7 a.m. on Monday morning (9 April), while the inhabitants of these places were preparing to bury the victim, they were surprised by a hail of artillery shells fired on the cemetery and the house of the deceased. They dispersed before they were able to bury the dead man.

In protesting against and condemning these fresh acts of aggression constituting a violation of international custom, which demonstrate that Israel has no respect for human life and absolutely no concern for the safety of the civilian population, the Government of Lebanon reserves the right to request the convening of a meeting of the Security Council to consider the situation created by these acts of aggression.

* A/45/50.

I should be grateful if you would have the text of this letter circulated as a document of the General Assembly, under item 35 of the preliminary list, and of the Security Council.

(Signed) Chawki CHOUERI
Ambassador
Chargé d'affaires a.i.

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General Assembly Security Council

Distr.
GENERAL

A/45/212
S/21244
10 April 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Item 32 of the preliminary list*
THE SITUATION IN KAMPUCHEA

SECURITY COUNCIL
Forty-fifth year

Letter dated 10 April 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Cambodia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith for your information a press statement, dated 9 April 1990, by His Excellency, Son Sann, Prime Minister of the National Government of Cambodia and President of the Khmer People's National Liberation Front (see annex).

I would be very grateful if the statement could be distributed as an official document of the General Assembly, under item 32 of the preliminary list, and of the Security Council.

(Signed) IENG Kounsaky
Ambassador
Chargé d'affaires a.i.

* A/45/50.

ANNEX

Press statement dated 9 April 1990 by the Prime Minister of the National Government of Cambodia and President of the Khmer People's National Liberation Front

As President of the Khmer People's National Liberation Front (KPNLF), I should like to reiterate that my party has always supported a comprehensive political solution for the Cambodian problem, created by the invasion and occupation of Cambodia by the Vietnamese troops since 25 December 1978.

Therefore, the KPNLF is grateful to all the previous international initiatives, such as the first and second Jakarta Informal Meetings, the International Conference on Cambodia held in Paris, the Informal Meeting on Cambodia, held in Jakarta from 26 to 28 February 1990, the Australian Proposal after the ideas of the United States Congressman Stephen Solarz, the Meetings on Cambodia of the five permanent members of the United Nations Security Council in Paris and New York, and other non-governmental approaches, such as the International Peace Academy's Meeting in Montebello, Canada, as well as private initiatives. We also welcome further initiatives from the United Nations Secretary-General, His Excellency Javier Pérez de Cuéllar, in order to prepare and organize free and general elections for the Cambodian People in a neutral atmosphere, in which the role of the United Nations is essential.

To reach this aim, the KPNLF urges all the Cambodian parties to come up with a compromise solution, in order to allow the Cambodian People to determine freely the régime of their choice, free from fear of the Vietnamese domination and presence, and free from the threat of the crimes against humanity perpetrated by the Cambodian Communist parties. In that context, the KPNLF welcomes the recent proposal of His Royal Highness Samdech Norodom Sihanouk for the convening of a meeting among the four Cambodian parties in Bangkok with the relevant Thai authorities.

The recent Convention of the KPNLF of Northern America, held in Washington D.C. from 4 to 7 April 1990, with the participation of the KPNLF representatives from all over the world and from Cambodia, has approved the resolution urging all the Cambodian parties to put an end to the obstacles set on the road to the self-determination of the Cambodian People.

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General Assembly Security Council

Distr.
GENERAL

A/44/937
S/21245
12 April 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fourth session
Agenda item 47
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-fifth year

Letter dated 11 April 1990 from the Chargé d'affaires a.i.
of the Permanent Mission of Turkey to the United Nations
addressed to the Secretary-General

I have the honour to attach herewith a letter dated 11 April 1990 addressed to you by His Excellency Mr. Özer Koray, representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the present letter and its annex were circulated as a document of the forty-fourth session of the General Assembly, under agenda item 47, and of the Security Council.

(Signed) Osman KORUTURK
Deputy Permanent Representative
Chargé d'affaires a.i.

ANNEX

Letter dated 11 April 1990 from Mr. Özer Koray
to the Secretary-General

I have the honour to enclose herewith a copy of a letter dated 10 April 1990 addressed to you by His Excellency Dr. Kenan Atakol, Minister for Foreign Affairs and Defence of the Turkish Republic of Northern Cyprus.

I should be grateful if the present letter and its enclosure were circulated as a document of the forty-fourth session of the General Assembly, under agenda item 47, and of the Security Council.

APPENDIX

Letter dated 10 April 1990 from Mr. Kenan Atakol
to the Secretary-General

Security Council resolution 649 (1990), in its paragraph 5, calls on the parties concerned to "refrain from any action that could aggravate the situation". Since the adoption of that resolution on 12 March 1990, the Greek Cypriot side has engaged in the following activities that are in contradiction with the above call of the Security Council.

1. Violation of the buffer zone and the territory of the Turkish Republic of Northern Cyprus, and hostile demonstrations.

Both before and after the adoption of Security Council resolution 649 (1990), five Greek Cypriots, one of them a soldier of the Greek Cypriot so-called "National Guard", had illegally entered the TRNC for trouble-making purposes. They were arrested by the Turkish Cypriot police, brought to trial and sentenced to short terms of imprisonment. Two of them have completed their sentences and have been returned to South Cyprus through the United Nations Force in Cyprus (UNFICYP). Using those provoked incidents as a pretext, Greek Cypriot leadership has organized demonstrations of students, which have fueled feelings of hostility and impeded movement between the south and the north. All entry into the TRNC through the Ledra Palace border gate, even by diplomats serving on the island, have been effectively blocked. Rather than advising calm and common sense, the Greek Cypriot leaders have treated the offenders as heroes and encouraged further violations and confrontation between the two sides. Those demonstrations, like the Greek Cypriot demonstrations of July 1989, have been dominated by themes of enosis and Greek chauvinism and have exposed the deeply belligerent mood prevailing in the south against the Turkish Cypriot people.

2. The resolution of the European Parliament.

On 15 March 1990, only three days after the adoption of Security Council resolution 649 (1990), the Greek/Greek Cypriot side, disturbed by a United Nations resolution devoid of vindictive propaganda elements, have engineered a completely one-sided resolution in the European Parliament, grossly inconsistent with the letter and spirit of Council resolution 649. The resolution of the European Parliament, which aimed at nothing but accusing and discrediting the Turkish Cypriot side and its leadership, was hailed as a propaganda victory and immediately put to use in the service of Greek Cypriot disinformation tactics. Over the years, the Greek Cypriots have accumulated resolutions, which lack any moral or political weight, from international forums where the Turkish Cypriot side is not represented. The present situation is adequate testimony to the fact that this deplorable practice has only made a negotiated solution more difficult. The resolution of the European Parliament, coming immediately after Security Council resolution 649 (1990) provides a clear contrast between the road to a fair and negotiated settlement and propaganda tactics that erode the chances for such a settlement.

3. Activities in the United States Congress.

Following the New York meeting, during which Mr. Vassiliou did nothing positive or constructive, he went to Washington to alert the Greek lobby to take up arms against the Turkish side. The occasion of the review by the Congress of foreign assistance for the fiscal year 1991 was again ritualistically abused by the Greek lobby, whose past record shows that it is not interested in promoting reconciliation and a compromise settlement in Cyprus, but only acts as the mouthpiece of Greek and Greek Cypriot interests, and whose views and actions, therefore, are neither fair, nor balanced.

4. The Inter-parliamentary Union meeting in south Cyprus.

The annual Inter-parliamentary Union (IPU) meeting was held in south Cyprus from 2 to 7 April 1990. The occasion was seized by the Greek Cypriot side as an opportunity for an all-out propaganda offensive to vilify the Turkish Cypriot people and to distort the facts about the Cyprus question. Participating parliamentarians were prevented from contacting or visiting the north, which was easily accessible to them from the Ledra Palace border gate. The Speaker of the Greek Cypriot House of Representatives, Mr. Lissarides, in a letter addressed to the participants, openly called upon and advised them not to contact the legitimate representatives of the Turkish Cypriot people. Invitations sent to the participants from the north were either not distributed or confiscated. Parliamentarians who attempted to cross over to the north were, in many cases, physically barred or dissuaded from doing so by Greek Cypriot demonstrators who kept the Ledra Palace border gate effectively closed. Only the very daring and persistent succeeded in coming to the north, some only through the assistance of UNFICYP. During the meeting, all telephone, telex and telefax communication with the north was cut off. Mr. Vassiliou and other Greek Cypriot leaders took advantage of this situation to misuse the occasion to attack the Turkish side in their statements in the IPU meetings. Finally, a Greek Cypriot draft resolution, which contained paragraphs based on the traditional Greek Cypriot propaganda themes and demands that are incompatible with Security Council resolution 649 (1990), was pushed through the conference. Naturally, both the approach and the major elements of Council resolution 649 (1990) were missing in the Greek Cypriot draft.

5. The Greek Cypriot rearmament campaign.

The Greek Cypriot leadership is pursuing its programme of arms purchases and other rearmament measures. The Defence Minister of the Greek Cypriot Administration of Southern Cyprus has recently once again paid a visit to France, which is the only permanent member of the Security Council selling sophisticated weapons and military equipment to the Greek Cypriot side. He has announced that the latest expenditure on various categories of military hardware amounts to 220 million United States dollars. The Greek Cypriot military build-up is taking place against a background of aggressive warmongering rhetoric, which is also fed by provocative statements from the Greek Ambassador in south Cyprus.

6. Terrorism in south Cyprus and EOKA activities.

There has been an upsurge of radicalism in south Cyprus. The Greek Cypriot communist party, AKEL, has warned that terrorist organizations are being formed. This has been followed by bomb explosions, one of them at the Omeriye Mosque in south Nicosia. There have been persistent efforts to revive the EOKA terrorist organization, the aim of which is the annexation of Cyprus to Greece. It should also be noted that the ground is being prepared for the return to south Cyprus of Nicos Sampson, the EOKA gunman and the puppet "president" of the Greek coup of 15 July 1974. The escalation of unlawful acts in south Cyprus and tensions arising from Greek Cypriot actions have recently led to a public expression of justified concern by one permanent member of the Security Council, to which the Greek Cypriot spokesman has expressed a negative reaction.

7. The new Greek Cypriot strategy of internationalization.

During the recent meetings of the Greek Cypriot so-called "National Council", Mr. Vassiliou and the leaders of Greek Cypriot political parties have taken a stand against the continuation of the negotiating process and have instead decided to formulate a strategy based on a new propaganda campaign and the internationalization of the Cyprus question. The Greek Cypriot Foreign Minister has been entrusted with the task of preparing a report on the main points of this new strategy. Mr. Kyprianou's mouthpiece, the Greek Cypriot daily Eleftherotipia, has hailed this development as a "return to the policy of internationalization after two years of wasted dialogue". Not only the "rejectionist front" of Mr. Kyprianou and Mr. Lissarides, but also Mr. Clerides, the mentor of Mr. Vassiliou, has begun to oppose and to pose pre-conditions for the continuation of the negotiating process.

It is our considered view that all the acts to which I have referred above are incompatible with the call of the Security Council in paragraph 5 of its resolution 649 (1990). Since the New York meeting and the adoption of Council resolution 649 (1990), the Turkish Cypriot side has been occupied with the presidential and parliamentary elections in the Turkish Republic of Northern Cyprus to take place on 22 April and 6 May 1990, respectively. But the Greek Cypriot side has not felt the need even to restrain its hostile actions, which exacerbate tension in the island, poison the political atmosphere and adversely affect the chances of an early resumption of a meaningful dialogue. These hostile and provocative acts, undertaken, instigated or supported, by the Greek Cypriot leadership are eroding the basis of Council resolution 649 (1990) and pre-empting its implementation through talks on an equal footing in order to reach freely a mutually acceptable solution providing for the establishment of a bi-communal, bi-zonal federation. The call of the Security Council to refrain from any action that could aggravate the situation is addressed to both parties, and the Greek Cypriot side should be reminded of the responsibility it is assuming by insisting on a policy of confrontation and hostility against the Turkish Cypriots.

We trust that Your Excellency, under your mission of good offices reaffirmed by Security Council resolution 649 (1990), will take the necessary steps that are urgently needed in order to prevent a further deterioration in the situation and

call upon the Greek Cypriot side to refrain from all actions and activities incompatible with the concept of negotiations to reach freely a mutually acceptable solution. As one of the parties to whom Council resolution 649 (1990) is addressed, the Turkish Cypriot side should also like to request you to bring the contents of this letter to the attention of the President and members of the Security Council.

I should be grateful if this letter were circulated as a document of the forty-fourth session of the General Assembly, under agenda item 47, and of the Security Council.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21246
12 April 1990

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS ANGOLA VERIFICATION MISSION

INTRODUCTION

1. The present report is submitted in pursuance of Security Council resolution 626 (1988) of 20 December 1988, by which the Council decided to establish under its authority a United Nations Angola Verification Mission (UNAVEM). By paragraph 5 of that resolution, the Council, inter alia, requested the Secretary-General to keep the Council fully informed of further developments. This report contains an account of developments relating to UNAVEM since my report to the Council of 9 November 1989 (S/20955), as well as an update on the manner in which UNAVEM is carrying out its functions in the present phase of its operations, which came into effect on 1 April 1990 (D-Day plus 12 months).

I. COMPOSITION, COMMAND AND DEPLOYMENT

2. The command of UNAVEM continues to be exercised by the Chief Military Observer, Brigadier-General Péricles Ferreira Gomes (Brazil).

3. As of 1 April 1990, the strength of UNAVEM was 60, as follows:

United Nations military observers

Algeria	6
Argentina	6
Brazil	6
Congo	6
Czechoslovakia	6
India	6
Jordan	6
Norway	6
Spain	6
Yugoslavia	6
Total	60

/...

4. Twenty international and 15 local civilian staff members are presently serving with UNAVEM.

5. In my report of 9 November 1989 (S/20955, para. 9), I conveyed to the Security Council the results of the inspections carried out by UNAVEM south of the adjusted 13th parallel in the days following D-Day plus seven months and the Chief Military Observer's report that no Cuban military personnel had been observed south of that line. Accordingly, the UNAVEM outstation at Namibe, which lies south of the adjusted 13th parallel and whose port had hitherto been used for the withdrawal of Cuban troops and military equipment, was closed shortly thereafter, on 1 December 1989. With the closure of this outstation it became possible to reduce the number of UNAVEM military observers by 10 (1 from each contributing country) and this reduction was completed by 10 January 1990. UNAVEM continues to have its headquarters at Luanda and military teams at the sea ports of Cabinda, Lobito and Luanda and the airport at Luanda.

II. OPERATIONS

6. The procedures worked out early in 1989 for the accurate recording by UNAVEM of all movements of Cuban military personnel and equipment into and out of Angola, to which I referred in my report of 10 May 1989 (S/20625, para. 8), continued to be satisfactory.

7. The net departures of Cuban military personnel in the period between 1 November 1989 and 31 March 1990 totalled 6,871 persons (of these, 2,183 departed in November 1989, 2,351 in December 1989, 1,310 in January 1990, 391 in February 1990 and 636 in March 1990). Total net departures recorded and verified by UNAVEM since the withdrawal of Cuban military personnel began on 10 January 1989 thus amount to 32,381 persons (see annex). It will be recalled that under the terms of the bilateral agreement signed between Angola and Cuba on 22 December 1988 (see S/20345, appendix) a total of 33,000 troops (or 66 per cent of a Cuban military force of 50,000) were to have been withdrawn by 1 April 1990. As indicated above this has not been achieved and there was a shortfall of 619 in the numbers withdrawn at the end of this phase of the operation.

8. On 23 January 1990, the Cuban military authorities in Angola had informed the Chief Military Observer of UNAVEM that the withdrawal of Cuban troops from Angola would be suspended in reaction to an attack by the União Nacional para a Independência Total de Angola (UNITA) on 21 January against a Cuban water purification point near Lobito in which four Cuban soldiers had been killed and five others wounded. Being concerned by this interruption of the agreed plan for withdrawal, I undertook a number of initiatives with the parties directly concerned, and with others in a position to influence events, in order to obtain the earliest possible resumption of withdrawal, which eventually took place on 25 February 1990.

9. On 7 March 1990, the Chief Military Observer was informed by the Cuban authorities in Angola that because of the suspension of the withdrawal from 24 January to 25 February 1990, it would not be possible to achieve the scheduled

reduction of 33,000 troops by 1 April 1990, but that this target would be achieved by 25 April 1990. They further stated that the scheduled net reduction of 38,000 would be achieved by the end of the next phase of the withdrawal agreement, i.e. 30 September 1990. As of 11 April 1990, the net reduction totalled 32,880.

10. In addition to the withdrawal of military personnel, armoured vehicles, guns, artillery pieces, other military vehicles, engineering equipment, aircraft including helicopters, ammunition and other war-like stores belonging to the Cuban forces in Angola have been withdrawn and have been recorded in detail by UNAVEM.

11. As stated above, I conveyed to the Security Council in my report of 9 November 1989 (S/20955), the results of the inspections carried out by UNAVEM south of the adjusted 13th parallel in the days following D-Day plus seven months. Since then, UNAVEM has received no reports of the presence or suspected presence of Cuban troops at any location south of the adjusted 13th parallel. The Chief Military Observer will continue to carry out such ad hoc inspections as he may deem necessary in accordance with paragraph 8 (e) of my report to the Council of 17 December 1988 (S/20338).

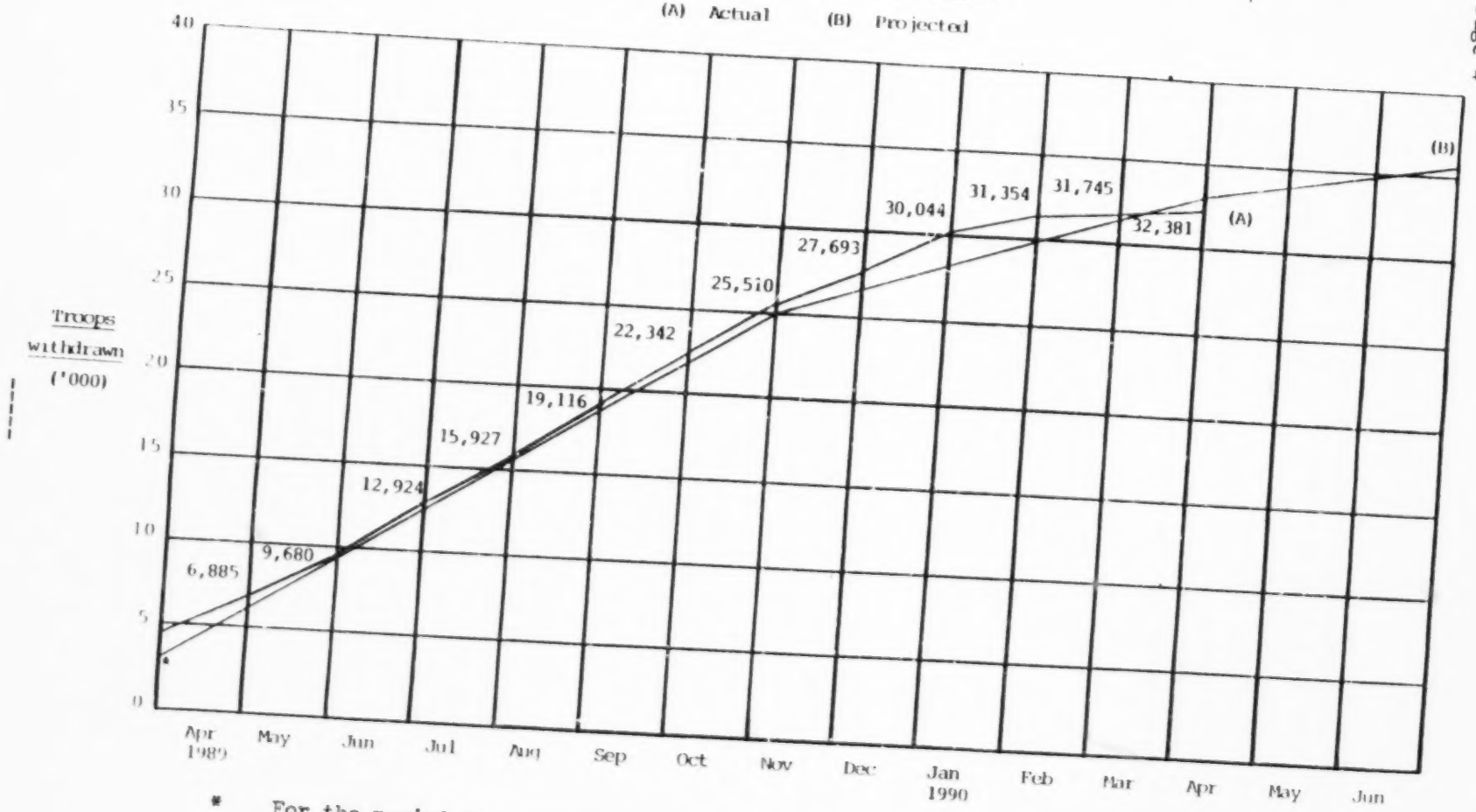
12. The ability of UNAVEM to fulfil its mandate depends on the co-operation of the parties concerned, especially as regards the freedom of movement and other facilities that it requires to carry out its duties. I am pleased to state, as I have in previous reports, that both the Government of Angola and the Cuban military authorities in that country have continued to extend their full co-operation to UNAVEM. The Joint Commission (see S/20338, para. 9 (a)), whose mandate is to co-ordinate United Nations verification of the redeployment and withdrawal of Cuban troops and to resolve any problems that may arise, has continued to meet at regular intervals and has made an important contribution to the successful implementation of the UNAVEM mandate.

III. CONCLUDING REMARKS

13. UNAVEM has continued effectively to carry out the tasks entrusted to it by the Security Council in December 1988. Its success again demonstrates what can be achieved by a United Nations Peace-keeping Operation when it receives the full co-operation of the parties concerned. Credit for this is also due to the Governments that have contributed military observers to UNAVEM and to the Chief Military Observer, Brigadier-General Péricles Ferreira Gomes, and to the military and civilian staff under his command for the energy and expertise with which they have continued to perform their duties.

Annex

Number of troops withdrawn as of 31 March 1990 and projected withdrawals to 30 June 1990



* For the period from January to April 1989, see S/20955.